

County of Santa Clara

Department of Environmental Health

Consumer Protection Division

1555 Berger Drive, Suite 300, San Jose, CA 95112-2716

Phone (408) 918-3400 www.ehinfo.org



OFFICIAL INSPECTION REPORT

Facility FA0305281 - NUOC MIA VIEN DONG 2		Site Address 919 STORY RD 1160, SAN JOSE, CA 95122		Inspection Date 05/14/2025		Placard Color & Score GREEN 73		
Program PR0448238 - FOOD PREP / FOOD SVC OP 0-5 EMPLOYEES RC 2 - FP10			Owner Name NUOC MIA VIEN DONG 2 LLC		Inspection Time 12:30 - 13:30			
Inspected By HENRY LUU		Inspection Type ROUTINE INSPECTION		Consent By THANH (VIA PHONE)				FSC Not Available

RISK FACTORS AND INTERVENTIONS		IN	OUT		COS/SA	N/O	N/A	PBI
			Major	Minor				
K01	Demonstration of knowledge; food safety certification			X				N
K02	Communicable disease; reporting/restriction/exclusion	X						
K03	No discharge from eyes, nose, mouth	X						S
K04	Proper eating, tasting, drinking, tobacco use			X				N
K05	Hands clean, properly washed; gloves used properly		X		X			N
K06	Adequate handwash facilities supplied, accessible			X				
K07	Proper hot and cold holding temperatures	X						
K08	Time as a public health control; procedures & records	X						
K09	Proper cooling methods						X	
K10	Proper cooking time & temperatures						X	
K11	Proper reheating procedures for hot holding						X	
K12	Returned and reservice of food	X						
K13	Food in good condition, safe, unadulterated	X						S
K14	Food contact surfaces clean, sanitized			X				
K15	Food obtained from approved source	X						
K16	Compliance with shell stock tags, condition, display						X	
K17	Compliance with Gulf Oyster Regulations						X	
K18	Compliance with variance/ROP/HACCP Plan						X	
K19	Consumer advisory for raw or undercooked foods						X	
K20	Licensed health care facilities/schools: prohibited foods not being offered						X	
K21	Hot and cold water available	X						
K22	Sewage and wastewater properly disposed	X						
K23	No rodents, insects, birds, or animals			X				

GOOD RETAIL PRACTICES		OUT	COS
K24	Person in charge present and performing duties		
K25	Proper personal cleanliness and hair restraints		
K26	Approved thawing methods used; frozen food		
K27	Food separated and protected		
K28	Fruits and vegetables washed		
K29	Toxic substances properly identified, stored, used		
K30	Food storage: food storage containers identified		
K31	Consumer self service does prevent contamination		
K32	Food properly labeled and honestly presented		
K33	Nonfood contact surfaces clean		
K34	Warewash facilities: installed/maintained; test strips		
K35	Equipment, utensils: Approved, in good repair, adequate capacity		
K36	Equipment, utensils, linens: Proper storage and use		
K37	Vending machines		
K38	Adequate ventilation/lighting; designated areas, use	X	
K39	Thermometers provided, accurate		
K40	Wiping cloths: properly used, stored		
K41	Plumbing approved, installed, in good repair; proper backflow devices		
K42	Garbage & refuse properly disposed; facilities maintained		
K43	Toilet facilities: properly constructed, supplied, cleaned		
K44	Premises clean, in good repair; Personal/chemical storage; Adequate vermin-proofing	X	
K45	Floor, walls, ceilings: built, maintained, clean		
K46	No unapproved private home/living/sleeping quarters		
K47	Signs posted; last inspection report available		

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K48	Plan review	
K49	Permits available	
K58	Placard properly displayed/posted	

Comments and Observations

Major Violations

K05 - 8 Points - Hands not clean/improperly washed/gloves not used properly; 113952, 113953.3, 113953.4, 113961, 113968, 113973 (b-f)

Inspector Observations: *Observed employees talking on cellphone and then continuing onto food preparation without changing gloves or washing hands.*

Observed employees reusing single-use gloves.

Observed employee returning from restroom and then began donning on gloves without washing hands.

[CA] *Ensure employees are properly washing hands as required. Employees shall wash their hands in all of the following instances:*

- (1) Immediately before engaging in food preparation, including working with non-prepackaged food, clean equipment and utensils, and unwrapped single-use food containers and utensils.*
- (2) After touching bare human body parts other than clean hands and clean, exposed portions of arms.*
- (3) Immediately after using the toilet room and again when returning into the kitchen.*
- (4) After caring for or handling any animal allowed in a food facility in pursuant to this part.*
- (5) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking.*
- (6) After handling soiled equipment or utensils.*
- (7) During food preparation as often as necessary to remove soil and contamination and to prevent cross-contamination when changing tasks.*
- (8) When switching between working with raw food and working with ready-to-eat foods.*
- (9) Before initially donning gloves for working with food.*
- (10) Before dispensing or serving food or handling clean tableware and serving utensils in the food service area.*
- (11) After engaging in other activities that contaminate the hands.*

Properly wash hands with soap, warm water and dry using single use paper towels as required. Single-use gloves shall be removed prior to washing hands.

Single-use gloves once contaminated shall be discarded and not be re-used.

[COS] *Instructed employee to properly wash hands.*

**** Repeat violation**

Minor Violations

K01 - 3 Points - Inadequate demonstration of knowledge; food manager certification

Inspector Observations: *Five-year Food Safety Certified (FSC) manager certificate unavailable for review. [CA] Food facilities that prepare, handle, or serve non-prepackaged potentially hazard foods shall have a valid Food Safety Certificate available for review at all times.*

Employees' three-year food handler cards unavailable for review.

[CA] *Each food handler shall maintain a valid food handler card for the duration of his or her employment as food handler. A valid food handler card shall be provided within 30 days of after the date of hire.*

**** Repeat violation.**

K04 - 3 Points - Improper eating, tasting, drinking or tobacco use in food preparation area; 113977

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Inspector Observations: Employees' personal beverages observed stored in areas of food preparation - at the food preparation refrigerator.

[CA] No employee shall eat or drink in the food prep, food contact storage, or food storage areas, use designated area. Provide designated location for employees to store personal food and beverages, separated and protected from facility food and food contact surfaces.

K06 - 3 Points - Inadequate handwash facilities: supplied or accessible; 113953, 113953.1, 113953.2, 114067(f)

Inspector Observations: Hand wash sink in the kitchen by the food preparation sink partially obstructed with mop bucket.

[CA] Handwashing facility shall be clean, unobstructed, and accessible at all times.

K14 - 3 Points - Food contact surfaces unclean and unsanitized; 113984(e), 114097, 114099.1, 114099.4, 114099.6, 114101, 114105, 114109, 114111, 114113, 114115(a,b,d), 114117, 14125(b), 114141

Inspector Observations: Observed tan and pink growth like matter on the plastic white baffle inside the ice machine. Soil surface was not in contact with consumable ice.

[CA] Clean, sanitize, and maintain ice machine.

K23 - 3 Points - Observed rodents, insects, birds, or animals; 114259.1, 114259.4, 114259.5

Inspector Observations: Numerous fruit flies observed throughout the food preparation area.

[CA] Food facility shall be kept free of non-disease carrying insects, weevils, ants, gnats, and fruit flies.

K38 - 2 Points - Inadequate ventilation and lighting in designated area; 114149, 114149.1, 114149.2, 114149.3, 114252, 114252.1

Inspector Observations: At time of inspection, observed three waffle makers present at facility with two in active use, and the third plugged in.

Facility has been conditionally approved for the use of two waffle makers.

[CA] Provide approved exhaust hood ventilation over all cooking equipment as required to effectively remove cooking odors, smoke, steam, grease, heat, and vapors. Remove third waffle maker.

**** Repeat violation. Failure to comply will result in facility going through plan check to install necessary ventilation hood system.**

K44 - 2 Points - Premises not clean, not in good repair; No personal/chemical storage; inadequate vermin-proofing; 114067(j), 114123, 114143 (a,b), 114256, 114256.1, 114256.2, 114256.4, 114257, 114257.1, 114259, 114259.2, 114259.3, 114279, 114281, 114282

Inspector Observations: Employees' personal belongings observed stored in areas of food preparation and food contact surfaces.

[CA] No person shall store clothing or personal effects in any area used for the storage and preparation of food or food contact surfaces.

Janitorial sink observed completely obstructed and filled with items.

[CA] At least one curbed cleaning facility or janitorial sink equipped with hot and cold water and drain shall be provided. Remove obstructions.

Performance-Based Inspection Questions

Needs Improvement - Demonstration of knowledge; food manager certification.

Needs Improvement - Hands clean/properly washed/gloves used properly.

Needs Improvement - Proper eating, tasting, drinking, tobacco use.

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Measured Observations

Item	Location	Measurement	Comments
White beans	Two-door merchandiser refrigerator	40.00 Fahrenheit	
Durian waffle batter	Display refrigerator	41.00 Fahrenheit	
White beans	Two-door merchandiser refrigerator - sales floor	39.00 Fahrenheit	
Pandan waffle batter	Two-door merchandiser refrigerator - sales floor	41.00 Fahrenheit	
Red beans	Two-door merchandiser refrigerator	40.00 Fahrenheit	
Taro paste	Two-door merchandiser refrigerator	40.00 Fahrenheit	
Hot water	Three-compartment sink	120.00 Fahrenheit	
Warm water	Hand wash sink	102.00 Fahrenheit	
Milk	One-door merchandiser refrigerator	40.00 Fahrenheit	
Mung bean paste	Two-door merchandiser refrigerator	40.00 Fahrenheit	
Taro paste	Two-door merchandiser refrigerator - sales floor	40.00 Fahrenheit	

Overall Comments:

- Complaint investigation was conducted concurrently with routine inspection.

When required to determine compliance, a single reinspection will be conducted without additional charge. If subsequent reinspections are required, an hourly fee (minimum one hour) at the current rate approved by the Board of Supervisors will be assessed for each and every reinspection until the necessary changes or corrections are made. Unless otherwise noted by the inspector, all violations are to be corrected no later than 5/28/2025. Any major change in menu or any change in ownership must have prior approval by this Department. This may require structural and/or equipment changes or remodeling to accommodate new operations.

Legend:

[CA]	Corrective Action
[COS]	Corrected on Site
[N]	Needs Improvement
[NA]	Not Applicable
[NO]	Not Observed
[PBI]	Performance-based Inspection
[PHF]	Potentially Hazardous Food
[PIC]	Person in Charge
[PPM]	Part per Million
[S]	Satisfactory
[SA]	Suitable Alternative
[TPHC]	Time as a Public Health Control

Received By: Thanh L.
Manager
Signed On: May 14, 2025